

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**  
**CIVIL ACTION NO. 05-10452-REK**

CHURCH BROTHERS, LLC )  
                            )  
Plaintiff                 )  
                            )  
vs                         )  
                            )  
THE ALPHAS COMPANY, INC. )  
THE ALPHAS COMPANY OF NEW )  
YORK, INC., JOHN S. ALPHAS, and )  
PETER ALPHAS             )  
Defendants                 )

**STIPULATION of DISMISSAL WITH PREJUDICE**

Now come the parties and, pursuant to Fed.R.Civ.P. 41(a)(1)(ii), hereby stipulate that this matter be dismissed with prejudice and without costs to any party, and that all rights of appeal are being waived.

Respectfully submitted

Church Brothers, LLC  
By its attorneys

The Alphas Company, Inc.  
The Alphas Company of New York, Inc.  
John S. Alphas  
Peter S. Alphas  
By their attorneys

/s/ Bart M. Botta  
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/s/ Scott L. Machanic  
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Cunningham, Machanic, Cetlin,  
Johnson & Harney, LLP  
220 N. Main Street  
Natick, MA 01760  
(508) 651-7524

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CERTIFICATE OF SERVICE

I hereby certify that, by filing the above Stipulation of Dismissal electronically, the Stipulation was served by email upon counsel for the Plaintiff, Valerie Carter, at [vcarter@carterdoyle.com](mailto:vcarter@carterdoyle.com).

Signed under the pains and penalties of perjury this 20<sup>th</sup> day of April , 2005.

/s/ Scott L. Machanic  
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